

00-0 -0748

(Do Not Write Above This Line)

ORDINANCE BY: COMMUNITY DEVELOPMENT/  
HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO  
DIRECT THE DEPARTMENT OF PLANNING,  
DEVELOPMENT AND NEIGHBORHOOD CONSERVATION  
(BUREAU OF NEIGHBORHOOD CONSERVATION) TO  
DEMOLISH AND CLEAN THE PREMISES OF VARIOUS  
STRUCTURES, PURSUANT TO ARTICLE III OF THE  
ATLANTA HOUSING CODE AND A HEARING  
CONDUCTED BY THE IN REM REVIEW BOARD ON  
MARCH 30, 2000.

1212 Grant Street, SE D-01  
1734 Marcell Avenue, SW D-12  
880 McDonough Boulevard, SE D-01  
587 Rhodes Street, NW D-02  
711 S. Grand Avenue NW D-09

**ADOPTED BY**  
**JUN 19 2000**  
**COUNCIL**

- ☒ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☐ PERSONAL PAPER REFER

Date Referred 6/5/00

Referred To: CD/HJR

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee

Date

Chair

Referred to

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

**CERTIFIED**  
JUN 19 2000

ATLANTA CITY COUNCIL PRESIDENT

*Barbara A. Pitts*

**CERTIFIED**  
JUN 19 2000

*Rachel Vaughan Johnson*  
MUNICIPAL CLERK

MAYOR'S ACTION

**CERTIFIED**  
JUN 27 2000

*Adm. Clerk*



**CITY COUNCIL  
ATLANTA, GEORGIA**

**AN ORDINANCE**

**00- 0-0748**

**BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO DEMOLISH AND CLEAN THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON MARCH 30, 2000.**

<b>1212 GRANT STREET, SE</b>	<b>D - 01</b>
<b>1734 MARCELL AVENUE, SW</b>	<b>D - 12</b>
<b>880 McDONOUGH BOULEVARD, SE</b>	<b>D - 01</b>
<b>587 RHODES STREET, NW</b>	<b>D - 02</b>
<b>711 SOUTH GRAND AVENUE, NW</b>	<b>D - 09</b>

**WHEREAS**, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

**WHEREAS**, on 3/30/2000, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

**WHEREAS**, on 3/30/2000, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

**WHEREAS**, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and/or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and



**WHEREAS**, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

**WHEREAS**, the owner(s) and/or parties in interest of the properties failed to comply with the Order of The In Rem Review Board within the specified time.

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:**

**SECTION 1:** That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to forthwith demolish and clean the following real property, upon which structure(s) are located:

<u>Property Street Address</u>	<u>City Council District</u>
1212 Grant Street, SE	01
1734 Marcell Avenue, SW	12
880 McDonough Boulevard, SE	01
587 Rhodes Street, NW	02
711 South Grand Avenue, NW	09

**SECTION 2:** That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Demolish the structures and clean the premises.
- (3) Plant grass in conformance with the Order of the In Rem Review Board.
- (4) File a lien against the real property on which the structures(s) are attached in an amount necessary to recover the costs incurred by the City of Atlanta.

**SECTION 3:** That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

**SECTION 4:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Deputy Clerk

**ADOPTED** by the City Council  
**APPROVED** by the Mayor

**JUNE 19, 2000**  
**June 27, 2000**



## TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Anna Bell Davenport Tucker  
Cora Tucker Beasley a/k/a Cora Lee Tucker  
IRS

on 3-10-00 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,  
seeking relief against the following described real estate, to-wit:

ALL that tract or parcel of land lying and being in Land Lot 41  
of the 14th District of Fulton County, Georgia, and being more  
particularly described as follows:

BEGINNING at a point on the easterly side of Grant Street one  
hundred fifty (150) feet northerly from the corner formed by  
the intersection of the easterly side of Grant Street with the  
northerly side of Climax Street; running thence northerly along  
the easterly side of Grant Street (50) feet to a point; running  
thence easterly at an interior angle of 89 degrees 30 minutes  
with the preceding course, one hundred seventy (170) feet to a  
point; running thence southerly fifty (50) feet to a point; running  
thence westerly one hundred seventy (170) feet to the easterly  
side of Grant Street and the point of beginning, being improved  
property now known as 1212 GRANT STREET, SE, according to  
the present system of numbering houses in the City of  
Atlanta, GA.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: March 10, 2000

BY:

Dale S. Haygood  
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Curtis  
Assistant Real Estate City Attorney



## TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

CRM Ventures, LLC

on 3-10-00 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

All that parcel of land in Land Lot 153, 14<sup>th</sup> District, Fulton County, Georgia, being 26, Block A, Richard Parks Subdivision as shown on a plat recorded in Plat Book 1 Page 13, Fulton County, Georgia records. Being improved property now known as 1734 MARCEL AVENUE, SW, according to the present system of numbering houses in the City of Atlanta, GA.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: March 10, 2000

BY: *Dale S. Henson*  
Bureau of Neighborhood Conservation, Official Agent

BY: *Bill Castus*  
Assistant Real Estate City Attorney



## TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

**Daniel Lee Simpson**  
**Raymond Hanes and Ruth Brannon Hanes**

on **3-10-00** in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,  
seeking relief against the following described real estate, to-wit:

All that tract or parcel of land lying and being in Land Lot 8 of the 14th District of Fulton County, Georgia, and known as Lot 6 of the Mrs. Ellie Hanes property according to plat made by M. F. Mable, July 17, 1943, and approved by the Fulton County Planning Commission, and more particularly described as follows:

BEGINNING at a point on the east side of McDonough Road, being the northwestern point of said Mrs. Ellie Hanes property and designated on the plat as a Ford Axle at the intersection of Welch Street, and running thence southeasterly along the east side of McDonough Road 144.8 feet to an iron pipe and corner of Lot 5 of said plat; thence running eastwardly 200 feet to the line of Hanes property and Welch Street; thence running westwardly along the north line of Hanes property and unopened Welch Street, 287.3 feet to McDonough Road and the point of beginning. The said property being triangular in shape and designated as Lot 6 of the Hanes property. Now known as 880 MCDONOUGH BOULEVARD, SE, Atlanta, GA.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: **March 10, 2000**

BY: *Dale S. Haygood*  
Bureau of Neighborhood Conservation, Official Agent

BY: *Bill Cartwright*  
Assistant Real Estate City Attorney



## TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Steven Mills  
Tyler Place Community Development Corporation

on 3-10-00 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,  
seeking relief against the following described real estate, to-wit:

all that tract or parcel of land lying and being in the City of Atlanta and in Land Lot 83 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

**BEGINNING** at a point on the north side of Rhodes Street said point of beginning being 306 and 2/3 feet east of the northeastern intersection of Rhodes Street and Vine Street, which point of beginning is also at the southeast corner of a parcel, now or formerly owned by Leroy W. Harris; running then east, along the north side of Rhodes Street a distance of 31 and 1/3 feet more or less, to the southwest corner of a parcel of land now or formerly owned by Fred Ross, which point is 62 feet west, along the north side of Rhodes Street, from the corner formed by the north side of Rhodes Street and west side of Walnut Street; running thence north along the west line of that certain parcel of land now or formerly owned by Fred Ross, parallel with the west side of Walnut Street, continuing along the west line of a parcel of land now or formerly owned by Mrs. Eliza Gay Logan, a total distance of 106 feet, more or less, to a point on the south line of a parcel of land now or formerly owned by Miss Gertrude Liberson, which point is 100 feet south of the south side of Delbridge Street; running thence west along the south side of that parcel of land now or formerly owned by Miss Gertrude Liberson, parallel with the south side of Delbridge Street continuing along the south line of a parcel of land now or formerly owned by Louis Burson and Adel Burson, a total distance of 33 and 1/3 feet, more or less to the east line of the parcel of land now or formerly owned by Leroy Harris; running thence south, along the east line of that parcel of land now or formerly owned by Leroy Harris, 106 feet, more or less, to the point of beginning being improved property known as 587 Rhodes Street N.W. according to the present system of numbering houses in the City of Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: March 10, 2000

BY:

Dale S. Hargood  
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Cartus  
Assistant Real Estate City Attorney



## TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Joseph P. Foster  
National Tax Funding, L.P.

on 3-10-00 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,  
seeking relief against the following described real estate, to-wit:

all that tract or parcel of

land lying and being in Land Lot 177 of the 11th District of Fulton County, Georgia, and

being more particularly described as follows:

BEGINNING at a point on the east line of the Starr-Edwards Subdivision nine hundred ninety-one (991) feet south from the point of intersection of the east line of said Starr-Edwards Subdivision and the southerly side of Bankhead Highway (Mayson & Turner Ferry Road); thence south along the east line of said Starr-Edwards Subdivision, fifty (50) feet; thence west one hundred fifty (150) feet to the east side of Grand Avenue; thence running north along the east side of Grand Avenue fifty (50) feet; to a point which is one thousand twenty (1,020) feet south from Bankhead Highway; thence east one hundred fifty (150) feet to the east line of said Starr-Edwards Subdivision and the point of beginning; being improved property, being Lot 13, Block B, Starr-Edwards Subdivision, according to Plat which is recorded in Plat Book 3, page 113, Fulton County records, and known as 711 Grand Avenue, N.W., according to the present system of numbering houses in the City of Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: March 10, 2000

BY:

Dale S. Hargrove  
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Cartney  
Assistant Real Estate City Attorney



RCS# 2017  
6/19/00  
2:35 PM

Atlanta City Council

Regular Session

MULTIPLE

00-O-0747 AND 00-O-0748

ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 2

Y McCarty	Y Dorsey	Y Moore	Y Thomas
NV Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	B Maddox	Y Alexander
B Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE